




STATE OF MICHIGAN  
DEPARTMENT OF EDUCATION  
LANSING



JENNIFER M. GRANHOLM  
GOVERNOR

THOMAS D. WATKINS, JR.  
SUPERINTENDENT OF  
PUBLIC INSTRUCTION

TO State Board of Education

FROM Jeremy M. Hughes, Ph.D.   
Chief Academic Officer/Deputy Superintendent

DATE May 4, 2004

SUBJ: **PROPOSED AMENDMENTS TO MICHIGAN'S NCLB  
ACCOUNTABILITY WORKBOOK**

State Superintendent Tom Watkins has asked that I provide the attached briefing paper to follow-up on our detailed conversation at the April State Board of Education meeting regarding Michigan's Accountability Workbook. Although the State Board of Education has not yet approved proposed revisions to the workbook, the U. S. Department of Education (USDOE) asked that we inform them of the areas in which we were considering requesting revisions. I, therefore, forwarded the summary document given to State Board members at the April 13 meeting (copy attached).

Shortly after this document was received by USDOE, we were asked to participate in a conference call on April 22. Darla Marburger and Sue Rigney were the USDOE staff on the call. In summary, we were told that all of the revisions we were considering were acceptable except for the following two.

- 1 English Language Learners (LEP).** The USDOE recently announced that, during their first year in a U. S. school, limited English proficient students would not need to have their assessment scores included in calculating adequate yearly progress (AYP) for a school or district. In our amendment, we proposed to extend this flexibility for three years. This, by the way, coincided with our original proposal in January 2003, rejected then by USDOE. In our conference call, this was rejected again and we were told our workbook would not be approved if the amendment remained.

We discussed this issue at length with Ms. Marburger and Ms. Rigney, citing research on the amount of time it takes for an English language learner to acquire academic proficiency and representing this a strong position of our State Board of Education. We were told that we were welcome to state our position again in a cover letter to the workbook but not in the workbook itself. Per your request, we will ask USDOE to provide us with written rejection of our request.

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2. **Margin of Error.** The USDOE rejected our staff draft proposal to grant schools and subgroups within schools a two-student margin of error when calculating achievement in English Language Arts and Mathematics. We were told that our proposal, though unique was not a statistically acceptable method of calculating margin-of-error and could therefore not be accepted.

While in attendance at a USDOE conference on high school reform, held in St. Louis April 23 and 24, I had an opportunity to discuss this in person with Darla Marburger. After a more detailed explanation of our proposal, Ms. Marburger said it was still unacceptable.

Ms. Marburger advised that if we were interested in applying some kind of margin-of-error formula, we consider methods that have been accepted as statistically and academically sound, such as the confidence-interval used by 25 states, or the percentage-point-spread approved for Illinois. Further, she stated that she anticipated many other states are pursuing this option and it would put Michigan on a more equal footing with other states.

Using the Margin of Error formula would still maintain Michigan's standing as having some of the nation's most rigorous, academic standards.

## Proposal

If there is support for the use of a margin-of-error formula, I believe it is in our children's best interest at this time to explore a system such as Illinois', considering a two- or three-percentage-point margin-of-error rather than a two-student margin of error. Our staff has used the data from the school report cards released in January to determine how many more schools would have made AYP if a 1%, 2%, or 3% margin-of-error formula had been used. The results are in the attached tables. The advantage of using this approach is:

- 1 Treats urban, suburban and rural schools equally.
2. Maintains Michigan's status of having some of the nation's highest, rigorous academic standards.
3. Is academically and statistically sound
4. Is acceptable to the USDOE and provides a more equitable playing field when comparing Michigan to the other states with high academic standards.

This is an important issue given the fact that Michigan has been "penalized" by No Child Left Behind (NCLB) by being one of the few states to implement the forerunner of NCLB (Improving America's Schools Act) and has Michigan schools further along the AYP sanctions as a result of being a leader.

**Table I**  
**English Language Arts**

**Number of additional schools making AYP with a 1%, 2%, or 3%  
margin of error formula.**

Grade	1%	2%	3%
4	65	117	160
7	27	56	78
11	16	36	46

**Table II**  
**Mathematics**

**Number of additional schools making AYP with a 1%, 2%, or 3%  
margin of error formula.**

Grade	1%	2%	3%
4	46	96	107
7	29	77	96
11	21	44	58

**Note:**

1. The above numbers include the effect a margin of error would have both on the school as a whole as well as on subgroups. A detailed breakdown of subgroup effects is on the attached page.
2. The above calculations are by separate subject areas – ELA and Mathematics. In order to make AYP, a school must do so in both subject areas. It is expected that the actual number of schools benefiting from a 1%, 2%, or 3% margin of error would be less than the totals above, once both subjects are considered together for AYP purposes. In other words, a school that makes AYP in ELA through a margin-of-error formula may still not make AYP because of failing to do so in Math, or failing to do so because of a subgroup of students.

# English Language Arts

## SubGroup \* Percentage Points from Cut \* Grade Crosstabulation

Count

Grade			Percentage Points from Cut			Total
			-3	-2	-1	
4	SubGroup	Whole School	19	21	29	69
		Black	4	9	5	18
		Hispanic	1	0	0	1
		White	6	10	10	26
		Students with Disabilities	1	1	1	3
		Economically Disadvantaged	12	11	20	43
		Total	43	52	65	160
7	SubGroup	Whole School	5	7	11	23
		Black	1	4	3	8
		Hispanic	1	1	1	3
		White	1	3	1	5
		Students with Disabilities	0	0	1	1
		English Language Learners	4	7	4	15
		Economically Disadvantaged	10	7	6	23
		Total	22	29	27	78
11	SubGroup	Whole School	0	8	5	13
		Black	4	0	4	8
		Hispanic	0	0	1	1
		White	0	3	2	5
		English Language Learners	1	1	0	2
		Economically Disadvantaged	5	8	4	17
		Total	10	20	16	46

# Mathematics

## SubGroup \* Percentage Points from Cut \* Grade Crosstabulation

Count

Grade			Percentage Points from Cut			Total
			-3	-2	-1	
4	SubGroup	Whole School	19	21	29	69
		Black	4	9	5	18
		Hispanic	1	0	0	1
		White	6	10	10	26
		Students with Disabilities	1	1	1	3
		Economically Disadvantaged	12	11	20	43
		Total	43	52	65	160
7	SubGroup	Whole School	5	7	11	23
		Black	1	4	3	8
		Hispanic	1	1	1	3
		White	1	3	1	5
		Students with Disabilities	0	0	1	1
		English Language Learners	4	7	4	15
		Economically Disadvantaged	10	7	6	23
		Total	22	29	27	78
11	SubGroup	Whole School	0	8	5	13
		Black	4	0	4	8
		Hispanic	0	0	1	1
		White	0	3	2	5
		English Language Learners	1	1	0	2
		Economically Disadvantaged	5	8	4	17
		Total	10	20	16	46



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TO: Tom Watkins, Superintendent

FROM: Jeremy M. Hughes, Ph.D.  
Chief Academic Officer/Deputy Superintendent

DATE: April 7, 2004

**SUBJ: PROPOSED AMENDMENTS TO MICHIGAN'S NCLB  
ACCOUNTABILITY WORKBOOK**

The U.S. Office of Education recently announced that it would consider requests from states to amend the accountability workbooks states were required to submit by January 30, 2003. After numerous meetings with staff, and in many cases consulting with other states, I would like to recommend that we seek the following amendments to our Accountability Workbook. Attached are the sections of the workbook referred to below by number.

- 1 Changing from "Below Basic" to "Apprentice" the name of the bottom category of reporting on the Michigan Educational Assessment Program (MEAP) tests. "Apprentice" is the current designation for this category in the MEAP reports. This will align the Workbook language with the actual MEAP reports.
2. Clarifying in section 5.3 that an English Language Learner student who is also a student with disabilities will be coded in both subgroup categories.
3. Amending section 5.4 to replace the "LEP" designation with the "ELL" designation. Also, including language that accepts the recent USDOE-announced flexibility regarding the assessment of ELL students who are in the first year in a U.S. school. In addition, requesting that this one-year flexibility be extended in Michigan to three years, as per Michigan's original proposal in January, 2003.
4. Amending section 5.5 to include a two-student margin of error in the calculation of proficiency in English Language Arts and Mathematics in order to increase the reliability of AYP decisions, particularly in small and rural schools.
- 5 Amending section 7.1 to indicate that Michigan will continue to use its present formula for calculating high school graduation rate until such time as Michigan's Single Record

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Student Database (SRSD) contains enough data to calculate the “cohort tracking” system described in the original Workbook submission.

6. Amending section 9.2 to update the appeal process for AYP, based on legislation passed by the Michigan legislature on August 6, 2003.
7. Amending section 9.3 to state that Michigan will begin administering the 3-8 grade level testing in 2005-06. The original Workbook had stated Michigan would begin this testing in 2004-05. We are unable to meet that timeline because of the State Board of Education’s adoption of new Grade Level Content Expectations in November, 2003 and the need to base the new grade level tests on these expectations.
8. Amending section 10.1 to include the new flexibility announced by USDOE for the calculation of the 95% participation-in-assessment rate.